Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-19, 21-24, 26-29, 43-58, 61-64, 70-72, 74-77, 81-89, and 92-93 are pending in the application, with 11, 43, 53, 61, and 72 being the independent claims. Claims 20, 25, 59, 60, 78-80, and 90-91 are sought to be canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 11-13, 16, 17, 18, 27, 29, 43, 53, 61-64, 70-72, 76, 81, 83, 89, and 92 are sought to be amended.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 11-29, 43-64, 70-72, and 74-93

Paragraph 4 of the Office Action rejects claims 11-29, 43-64, 70-72, and 74-93 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,892,282 to Hass et. al., ("Hass"). For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejections.

Claims 20, 25, 59, 60, 78-80, and 90-91 have been canceled without prejudice to or disclaimer of the subject matter contained therein, thereby rendering the rejections of these claims moot.

Claim 11 recites, in part:

> "A microprocessor based system comprising ... each bus exhibiting a latency for data transactions which is different from the latency of at least one other bus of the plurality of buses ... whereby said global ordering of the plurality of requests results in data coherence among the plurality of caches, said data coherence being latency independent of the latency differences between the plurality of buses."

Applicants respectfully submit that nowhere does Hass disclose such latency independent data coherence. Indeed, the Office Action fully supports Applicants'

understanding. (*See* Office Action page 4, "... responses are completed without regard to latencies as recited, since such dependency on latency is not described [in Hass].") Because "latency is not described in Hass," Applicants respectfully submit Hass does not disclose each and every element recited in claim 11. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 11 under 35 U.S.C. § 102(e).

Claims 12-19, 21-24, and 26-29 depend directly or indirectly from claim 11, and therefore are also not anticipated by Haas for at least the reasons cited above with respect to claim 11. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 12-19, 21-24, and 26-29 under 35 U.S.C. § 102(e).

Claim 43 recites, in part:

> "A multiphase protocol for maintaining data coherency between agents that share a common memory through disparate fabrics with different data latencies ... said global arbiter ordering said memory requests into a global order compensating for said differing data latencies, whereby the data coherency is maintained across the agents irrespective of the differing data latencies ... whereby said global ordering ... results in data coherence among the plurality of agents, said data coherence being latency independent of the latency differences between the disparate fabrics with different data latencies."

Because, as set forth in the Office Action, "latency is not described in Hass," Applicants respectfully submit Hass does not disclose each and every element recited in claim 43. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 43 under 35 U.S.C. § 102(e).

Claims 44-52 depend directly or indirectly from claim 43, and therefore are also not anticipated by Haas for at least the reasons cited above with respect to claim 43. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 44-52 under 35 U.S.C. § 102(e).

Independent claims 53, 61, and 72 each recite unique elements of the present system and method, but also recite some elements substantially similar to those already discussed above in conjunction with claims 11 and 43, including in particular elements pertaining to differing data latencies across a plurality of buses, fabrics, etc.

Because, as set forth in the Office Action, "latency is not described in Hass," Applicants respectfully submit Hass does not disclose each and every element recited in claims 53, 61, and 72. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 53, 61, and 72 under 35 U.S.C. § 102(e), and allow the claims.

Claims 54-58 depend directly or indirectly from claim 53, and therefore are also not anticipated by Haas for at least the reasons cited above with respect to claim 53, and further in view of their own respective features. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 54-58 under 35 U.S.C. § 102(e), and allow the claims.

Claims 62-64 and 70-71 depend directly or indirectly from claim 61, and therefore are also not anticipated by Haas for at least the reasons cited above with respect to claim 61, and further in view of their own respective features. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 62-64 and 70-71 under 35 U.S.C. § 102(e), and allow the claims.

Claims 74-77, 81-89, and 92-93 depend directly or indirectly from claim 72, and therefore are also not anticipated by Haas for at least the reasons cited above with respect to claim 72, and further in view of their own respective features. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 74-77, 81-89, and 92-93 under 35 U.S.C. § 102(e), and allow the claims.

Claims 72 and 74-93

Paragraph 8 of the Office Action rejects claims 72 and 74-93 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,112,283 to Neiger et. al., (hereinafter "Neiger"). For at least the following reasons, Applicants respectfully request the Examiner reconsider and withdraw the rejections.

Claims 78-80 and 90-91 have been canceled, rendering the rejections of these claims moot.

Claims 72 recites in part:

> "... said memory and said plurality of agents coupled via a plurality of buses ... each bus ... implementing a bus protocol with a different data latency from the data latency of at least one other bus ...

> wherein the memory controller is configured to: ...
> assign a global order to each of the ... memory requests, said global order compensating for the differences in data latencies between the plurality of buses ... whereby a data coherency is maintained across the agents irrespective of the differences in data latencies between the plurality of buses."

Applicants respectfully assert that nowhere does Neiger teach or suggest at least the elements pertaining to "...compensating for the differences in data latencies..." and "... whereby a data coherency is maintained ... irrespective of the differences in data latencies..." of claim 72. Because, Neiger does not disclose each and every element of claim 72, Applicants respectfully submit that Neiger does not anticipate claim 72. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 72 under 35 U.S.C. § 102(b), and allow the claim.

Claims 74-77, 81-89, and 92-93 depend directly or indirectly from claim 72, and therefore are also not anticipated by Neiger for at least the reasons discussed above with respect to claim 72, and further in view of their own respective features. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 74-77, 81-83, and 92-93 under 35 U.S.C. § 102(b), and allow the claims.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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